



Immigration Partner Interviews on USCIS Proposal to Reestablish DACA

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In an interview with SHRM, **Ralph Hua** offers insight into the recent proposal of USCIS to redo DACA. The proposed rule aims to address a federal judge's concerns over the legality of the program, but mainly would codify the existing DACA policy. "Going through the formal rulemaking process is a direct response to the federal district court's decision in July holding the DACA program unlawful for procedural defects," Ralph says. "After the lengthy formal rulemaking process, however, lawsuits challenging the actual merits of the DACA regulation will almost certainly follow." Ralph adds, "The July court ruling does not prohibit DACA renewals. Existing employees with DACA status can continue to renew employment authorization for the foreseeable future. Months from now, if the new DACA regulation is challenged on the merits and suspended by federal court, it is possible that even current DACA holders may be affected if the court injunction covers the entire regulation."

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